

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA

§

§

vs.

§

§

CAUSE NO.

7:19-cr-01205-17

EMILIO DE LA GARZA

§

UNOPPOSED MOTION TO WITHDRAW AS COUNSEL

TO THE HONORABLE JUDGE OF SAID COURT:

Movant, JESUS VILLALOBOS, brings this Motion to Withdraw as Counsel and shows:

1. I was appointed to represent **Emilio De La Garza**.
2. This matter is set for Final Pre-trial on April 3, 2020 and trial on April 7, 2020.
3. I am requesting to be removed as attorney of record for Mr. De La Garza. In my communication with him, he has made it clear to me that he demands a trial on the allegations against him. Normally, I would have no problem in going to trial on this case, nor on any other in which the Defendant demands his day in court. However, the communication between me and Defendant has deteriorated to the point that he refuses to speak to me.

Defendant stated on the record to Magistrate Judge Juan Alaniz that he does not feel that I am providing him or his case enough attention and that he does not want me to represent him. On my end, I have also lost confidence in my client and this breakdown in communication is certain to lead to “ineffective assistance of counsel” allegations in the future.

Under the circumstances, I cannot properly represent the Defendant. In fact, I have absolutely no desire whatsoever to assist him any longer. In an effort to facilitate Mr. De La Garza’s request to obtain other counsel, I hereby waive any compensation for my time expended

on this case. Movant respectfully asks to be removed as attorney of record for Mr. De La Garza and that the Court appoint other counsel for Mr. De La Garza.

4. This withdrawal is not sought for delay, but that Defendant can obtain the effective assistance of counsel that he is entitled to receive.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Movant prays that the Court will grant his motion to withdraw on the face of this pleading without the necessity of a hearing. If the court deems a hearing is necessary, Movant requests that it be set after March 13, 2020, as movant will be out of the country through March 12, 2020.

Respectfully submitted,

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By:

JESUS VILLALOBOS
State Bar No. 20581770

CERTIFICATE OF SERVICE

I, Jesus Villalobos, Jr., hereby certify that a true and correct copy of the above was served on known electronic filing users listed via the automatic electronic filing notice system on this the 9th day of March, 2020. There are no parties to the instant action that are not electronic users.



JESUS VILLALOBOS

CERTIFICATE OF CONFERENCE

I, Jesus Villalobos, Jr. certify that I have conferred with AUSA Robert "Bobby" Lopez, regarding this motion to withdraw and he is **UNOPPOSED to it being granted.**



JESUS VILLALOBOS